



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.662 of 2018

M.Selvamani

... Petitioner

-Vs-

1. The Superintendent Engineer (Highways),
Construction and Maintenance,
TVS Tollgate,
Trichy-20.

2. The Assistant Divisional Engineer,
Highways Department,
Construction and Maintenance,
No.97, Trichy Main Road,
Musiri, Trichy District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 19.12.2017 for not laying the road in the petitioner's property comprised in Survey No.377/2C situated at Appananallur Village, Ammankudi, Thottiyam Taluk, Trichy District without following due process of law within a time frame to be stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Joel Paul Antony
For Respondents : Mr.Aayiram K.Selva Kumar,
Additional Government Pleader.

ORDER

The Writ Petition has been filed seeking direction to the respondents not to lay a road in the petitioner's property comprising in Survey No.377/2C situated at Appananallur Village, Ammankudi, Thottiyam Taluk, Trichy District.

2.According to the petitioner, she is the owner of the property in the above said Survey No.377/2C. Now, the respondents, without acquiring the land, are trying to lay a road arbitrarily in the petitioner's property. Hence, the petitioner come up with this Writ Petition.



3. When the matter is taken up for hearing, the learned Additional Government Pleader appearing on behalf of the respondents submitted that the alleged area is not under the control of the respondents / Highways Department and it is under the control of the Thathaiyangaiyar Pettai Panchayat Union and they are not laying any road.

4. Since the respondents are not laying any road in the petitioner's property, the prayer sought for in the Writ Petition cannot be granted. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar (Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent Engineer (Highways),
Construction and Maintenance,
TVS Tollgate,
Trichy-20.
2. The Assistant Divisional Engineer,
Highways Department,
Construction and Maintenance,
No.97, Trichy Main Road,
Musiri, Trichy District.

+ 1 cc TO Mr.A.Joel Paul Antony , Advocate in SR No. 44270

Myr

AE/JC/SAR4/01.02.2018/2P/4C

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